

DEFENSE CONTRACT MANAGEMENT AGENCY

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AUG 2 4 2017

MEMORANDUM FOR COMPONENT HEADS

SUBJECT: DCMA Policy-type Memorandum 17-002, "DCMA Hotline Program"

References: DoD Instruction 5015.2, "DoD Records Management Program," February 24,

2015

DoD Directive 5105.64, "Defense Contract Management Agency (DCMA),"

January 10, 2013

DoD Directive 5106.04, "Defense Inspectors General," May 22, 2014 DoD Instruction 7050.01, "Defense Hotline Program," December 17, 2007 President's Council on Integrity and Efficiency, "Quality Standards for

Investigations," December 2003

DCMA-INST 906, "Fraud, Waste and Abuse," October 29, 2014

<u>Purpose</u>. This DCMA Policy-type Memorandum (DCMA-PTM) establishes policy; assigns roles and responsibilities; implements procedures and operations for the DCMA Agency Hotline; and designates the DCMA Office of Internal Audit and Inspector General (OIA/IG) as the Hotline coordinator.

<u>Applicability</u>. This DCMA-PTM applies to all DCMA employees unless higher-level regulations, policy, guidance, or agreements take precedence.

<u>Policy</u>. In accordance with DoD Directive (DoDD) 5105.64, DoDD 5106.04, DoD Instruction (DoDI) 7050.01, and DCMA-INST 906, it is DCMA policy that:

- DCMA employees will support readiness and promote efficiency, economy, and effectiveness in DCMA programs and operations through the detection and prevention of fraud, waste, abuse, and mismanagement.
- DCMA leadership will encourage DCMA personnel to report suspected fraud, waste, abuse, and mismanagement, without fear of reprisal.
- DCMA must provide leadership and coordination, as set forth in DoDI 7050.01, to ensure the proper receipt and evaluation of allegations of fraud, waste, abuse, and mismanagement and that appropriate actions are taken as a result of any inquiries.
- DCMA leadership will encourage the use of hotlines for reporting instances of fraud, waste, abuse, and mismanagement in DCMA operations. DCMA leadership will endorse proactive oversight through a follow-up system that ensures the high program standards described in the President's Council on

Integrity and Efficiency Publication, "Quality Standards for Investigation," and DoDI 7050.01 are followed.

- DCMA employees must report contract/procurement fraud to the Contract Integrity Center (CIC) Fraud Counsel or through the DCMA FraudNET eTOOL in accordance with DCMA-INST 906.
- When applicable, the DCMA Hotline must comply with the Quality Standards for Hotlines described in Section 4 of DoD Instruction 7050.01, "DoD Hotline Program," which were developed from the Council of Inspectors General on Integrity and Efficiency (CIGIE) Standards and Government Auditing Standards.

Responsibilities.

- Executive Director, Office of Internal Audit and Inspector General (OIA/IG). The Executive Director, OIA/IG will:
 - Act as one of the principal advisors for DCMA on all matters relating to the detection and prevention of fraud, waste, abuse, and general administrative issues and concerns.
 - Operate the DCMA Hotline and direct cases through the OIA/IG, ensuring that inquiries resulting from allegations are conducted in accordance with applicable laws, DoD regulations, policies, and standards for investigations.
 - O Issue implementing instructions that specify quality standards for the DCMA Hotline; procedures to ensure appropriate evaluation and action on all allegations of fraud, waste, abuse, and mismanagement; and methods to ensure appropriate protection of the identity of sources requesting anonymity or confidentiality. Ensure all allegations regarding contract/procurement fraud are sent to the DCMA CIC for disposition.
 - Provide oversight and follow-up to ensure that reported allegations are appropriately evaluated, acted upon, and that findings and conclusions of any inquiry are fully documented.
 - Maintain an active DCMA Hotline publicity campaign using official notices, posters, telephone directories, and other media to encourage employees to identify and report fraud, waste, abuse, and mismanagement.
 - Participate in the DoD Hotline Working Group.

- Establish procedures necessary to ensure that the collection, maintenance, use, and dissemination of DCMA Hotline case file information is consistent with the requirements of DoDI 7050.01.
- DCMA Hotline Coordinator. The DCMA Hotline Coordinator will:
 - Serve as the principal advisor to the OIA/IG Director and DCMA Director on all matters relating to the detection and prevention of fraud, waste, abuse and mismanagement of DCMA programs and operations.
 - o Provide education and training to DCMA employees.
 - Notify the DCMA Director, OIA/IG Executive Director, General Counsel, and Labor and Employee Relations, regarding substantiated or unsubstantiated allegations, upon conclusion of investigations.
 - Prepare a Report of Investigation or Investigative Inquiry and provide the required documents. OIA/IG is responsible for maintaining information concerning action taken in connection with substantiated allegations identified in the report.
 - Accept action and information referrals from the DoDIG Hotline, and ensure action referrals are completed and Hotline Completion Reports (HCR) are submitted in a timely manner.
- DCMA General Counsel (OGC). The DCMA OGC will provided legal sufficiency reviews of all Reports of Investigation containing substantiated allegations.

Procedures.

- The Executive Director OIA/IG will:
 - Establish procedures to ensure the prompt receipt, processing, controlling, examining, independent and objective reviewing, and reporting of all allegations referred for action through the DCMA Hotline.
 - Examine DCMA Hotline information referrals to determine if an inquiry is warranted.
 - Refer any contract/procurement fraud related information received by the Hotline to the CIC.

- Refer and Safety and Occupational Health related information received by the Hotline to the Safety Center.
- Ensure necessary controls are in place to provide maximum protection for the identity of all hotline users.
- Ensure completed Hotline case files are retained in accordance with DoDD 5015.2.
- The DCMA Hotline Coordinator or Designated Representative will:
 - Obtain from the complainant, specific information necessary to ascertain referral to the appropriate personnel for action or information.
 - Document pertinent information of allegations meriting examination that are received by telephone, mail, Internet, or other means of communication.
 - Assign a case control number for tracking Hotline referrals.
 - Refer items preliminarily determined to be sensitive, controversial, or inappropriate for direct referral to the appropriate Component for further evaluation. This includes contract/procurement fraud allegations as referenced above, members of the Senior Executive Services, military whistleblower reprisals, and civilian appropriated fund employee reprisals.
 - Review and analyze all interim and final inquiry reports to ensure all aspects of the complaint were addressed fully, inquiries were conducted properly, and appropriate corrective measures were taken based on the stated finding and conclusions.
 - Follow-up on completed DCMA Hotline referrals to determine if appropriate corrective action was taken.
 - Ensure individuals who initiate a complaint or provide information to the hotline understand they are not required to discuss their complaint or related information with anyone other than the investigator.
 - Complete the HCR, when applicable, to the DoDIG within the timeframe outlined in DoDI 7050.01. When necessary, request extensions with a written justification stating the reason for the delay and anticipated completion date.

- Ensure each DoDIG Hotline referral case file contains documentation that supports the findings and conclusions contained in the HCR. This includes a description of the actions taken by the examining official to determine the findings, the complete identity of all witnesses, date of and information relayed during interviews, specific details, the location of all documents reviewed during the examination, and a description of any other actions the Component took as a result of the inquiry. Notification will be made to the DoDIG Hotline as soon as possible when actions taken were in response to a DoDIG Hotline Priority 1 Emergency referral.
- Ensure not to disclose the identity of the employee without the consent of the employee, unless DCMA OIA/IG determines such disclosure is necessary during the course of the investigation.
- Remain free, both in fact and appearance, from possible conflicts of interest and must maintain independence so that decisions used in prioritizing, processing, investigating, reviewing and reporting on hotline complaints will be impartial and will be viewed as legitimate by knowledgeable third parties.
- Categorize complaint processing priorities as referenced in DoDI 7050.01.

Filing a DCMA Hotline Complaint.

- WHO MAY FILE A COMPLAINT. The DCMA Hotline accepts complaints and information from all sources, including third-parties.
- WHAT TO REPORT. Information on specific matters that should be reported to the DCMA Hotline is located online at www.dcma.mil/hotline.
- HOW TO FILE A COMPLAINT. Complaints may be filed by phone, by mail/commercial delivery service, or online.
 - DCMA Hotline can be reached at the following telephone numbers: (toll-free) 1-844-551-2067, (commercial) 804-734-0322, or DSN 687-0322.
 - Mailed correspondence should be address to the DCMA Hotline, Office of Internal Audit and Inspector General, 3901 A Avenue, Building 10500, Fort Lee, VA 23801.
 - Online reports can be made at www.dcma.mil/hotline.

- MATTERS NOT APPROPRIATE FOR THE DCMA HOTLINE. Some matters are not appropriate for the DCMA Hotline. Information on matters that are not appropriate for the DCMA Hotline is available at www.dcma.mil/hotline.
 - DCMA Hotline does not accept complaints that have no connection to the DCMA.
 - To avoid duplication, the DCMA Hotline generally does not accept complaints for which other channels to address the matter have been established by law, rule, or regulation.
 - Equal Employment Opportunity (EEO) complaints must be reported to the DCMA EEO Office within 45 days from the date of the alleged incident. The EEO Complaints Line can be reached at (commercial) 804-734-2525, or DSN 687-2525.
- COMPLAINANT ACCESS TO THE HOTLINE AND LIMITING ACCESS.
 - Complainants can:
 - File a complaint without going through their supervisory chain.
 - File a complaint without fear of reprisal.
 - File an anonymous complaint.
 - Withhold consent to disclose their identity outside the DCMA Hotline. However, the DCMA Director or OIA/IG Director may:
 - Dismiss the complaint if disclosing the complainant's identity is needed to take further action on the complaint.
 - Disclose the complainant's identity as described in DoDI 7050.01.
 - File a complaint on behalf of another individual as a thirdparty complainant.
 - Request withdrawing their complaint in writing; however, the DCMA Hotline may still act on the complaint.
 - The DCMA Director or OIA/IG Director may dismiss a complaint or

limit a complainant's access to the DCMA Hotline under one or more of the following conditions:

- If the complaint is not filed in a timely manner and inquiry would not be a prudent use of government resources.
- If the complainant does not respond to requests for information necessary to investigate the complainant's allegations.
- False or misleading statements or concealment of a material fact from the DCMA Hotline.
- Absent new evidence, the DCMA Hotline does not reinvestigate matters previously investigated.
- The hotline will not investigate allegations that fail to allege facts that, if true, would constitute a violation of a standard, whether defined by law, rule, or regulation.
- The complainant uses harassing, vulgar, or threatening language when communicating with the DCMA Hotline, unless the gravity of the matter outweighs the abusive behavior.
- Complaints that are not logical or easily understood.

Labor Codes. IDS04

Resource Page. https://360.dcma.mil/sites/policy/DM/SitePages/17-002r.aspx

Releasability. Cleared for public release.

Effective. This DCMA-PTM is effective immediately and will be converted to a new DCMA instruction or manual. This PTM will expire effective 12 months from the date of issuance.

David H. Lewis, VADM, USN

Director